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Remarks

As a result of the forgoing amendments, claims 1, 2 and 4 have been amended to correct a typographical error, in which the word "least" was left out of the phrase "at least 3 times". Support for this phrase can be found throughout the specification including, for example, in the paragraph bridging pages 10 and 11. Claim 3 has been amended to remove its multiple dependency; claim 3 now depends from claim 1, only. New claims 15 -19 are duplicates of claims 3-7, except that they depend from claim 2, thereby replacing the claim coverage lost by correcting the multiple dependency of claim 3. An abstract has been presented for the application. No new matter has been entered as a result of these amendments.

Objections to the Specification

The objection to the specification for not containing an abstract has been overcome by the instant amendment, which presents an abstract.

The objection for use of the trademark "Y-PER®" is not understood by the undersigned attorney. The trademark is properly used, as the Office Action appears to agree. But the Office Action requests additional "published product information" on Y-PER®, because "articles denoted by trademark can change and affect the adequacy of the disclosure". Applicants do not understand what further information the Examiner requires, besides the seller of the product disclosed in the specification. Furthermore, since Y-PER® is disclosed in the background section of the specification, simply as an example of a prior art yeast protein extraction agent which is too expensive for the large-scale production of proteins, Applicants do not understand how the disclosure of Y-PER® as prior art could affect the sufficiency of disclosure in support of the instant claims. Reconsideration and withdrawal of this objection are respectfully requested.

Rejections of the claims

Claims 5 and 7 stand "rejected under 35 U.S.C. 112, first paragraph as containing subject matter which is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention." Reconsideration and withdrawal of this rejection are respectfully requested. Claims 5 and 7 are original claims and therefore form part of the specification. Accordingly, claims 5 and 7 cannot contain new matter.

Claims 1-14 stand "rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-17 of U.S. Patent No. 6,821,752. Applicants herewith submit a proper terminal disclaimer over US 6,821,752. Accordingly, this rejection should be withdrawn.

Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,



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